

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

GOVERNMENT'S MOTION TO ORDER TRAVEL ARRANGEMENTS

The United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, respectfully submits this Motion to order the U.S Marshal's Office to arrange forthwith for the travel of defendants Stark and Sugar to attend the evidentiary hearing on May 18, 2004 or at some time on Wednesday, May 19, 2004. Alternatively, the government requests that the Court rule that the defendants Sugar and Stark have waived their right to attend the hearing. The reasons for this Motion are set forth as follows.

This evidentiary hearing on motions to suppress filed by defendants Sugar and Stark was scheduled over a month ago, on April 15, 2004. Since that time, the defendants Sugar and Stark filed motions to continue the suppression hearing on April 28th and 29th, respectively. These motions were denied on April 30,

2004. Hence, defendants have known for over two weeks that this evidentiary hearing was definitely proceeding on April 18, 2004.

The government's witness, Deputy Sheriff Carmelo Crivello, has already traveled from Rolla, Missouri to attend this evidentiary hearing. It was not until today, Monday May 17<sup>th</sup>, at 2:06 pm, that the government was notified that defendant Sugar had not made arrangements to travel and then that defendant Stark had also not made travel arrangements.

For the reasons set forth above, the government respectfully requests that the Court order the U.S. Marshal's Office to forthwith make travel arrangements for Stark and Sugar to attend the suppression hearing on May 18<sup>th</sup> or another time on May 19<sup>th</sup>. Alternatively, the government requests that the Court rule that the defendants have waived their rights to attend the hearing, having known for over two weeks that the evidentiary hearing was definitely proceeding on May 18<sup>th</sup>.

Dated: May 17, 2004

Respectfully submitted,  
MICHAEL J. SULLIVAN  
United States Attorney  
By: 

Cynthia W. Lie  
Assistant U.S. Attorney

I hereby certify that a true copy of the above document was served upon (each party appearing pro se and) the attorney of record for each other party by mail on St. Louis, Missouri.

record for each other party by mail or fax & Fedex

**Assistant U.S. Attorney**